

STAND. COM. REP. NO.

997

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 89
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 89, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MARINE MANAGEMENT AREAS,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Department of Land and Natural Resources to comply with the rulemaking process of chapter 91, Hawaii Revised Statutes (HRS), when designating marine management areas.

Your Committee received testimony in support of this measure from the Ocean Tourism Coalition and five individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committee finds that section 188-53, HRS, does not expressly require the Department of Land and Natural Resources to comply with the rulemaking requirements of chapter 91, HRS, when designating fishery management areas. Your Committee believes that, although the Department of Land and Natural Resources has historically complied with chapter 91, HRS, when designating fishery management areas, it is important to specifically require that the Department continues to comply with these rulemaking processes to ensure that the designation process is transparent and fair. This measure will assure stakeholders that designated



marine management areas are based on the best available science and are consistent with state and federal laws.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 89, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

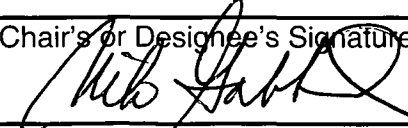


KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 89 SDI	Committee Referral: WTL, JDC	Date: 2/23/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes